

MINUTES

DWI/ADET ADVISORY COMMITTEE TO THE JOINT LEGISLATIVE OVERSIGHT COMMITTEE ON MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES

Tuesday, October 19, 2004

10:00 A.M.

Room 414, Legislative Office Building

The Driving While Impaired (DWI)/Alcohol Drug Education Treatment (ADET) Advisory Committee to the Joint Legislative Oversight Committee on Mental Health, Developmental Disabilities and Substance Abuse Services (LOC) met on Tuesday, October 19, 2004 at 10:00 A.M. in Room 414 of the Legislative Office Building. Members present were: Senator Charlie Dannelly, Co-Chair; Representative Martha Alexander, Co-Chair; Senator Austin Allran, Representative John Sauls, Ann Christian, Dale Kirkley, Phillip Mooring and Sandy Pearce. Offering staff support were: Dr. Alice Lin, LOC Project Manager; Spencer Clark, Michael Eisen, Jennifer Resnick and Jason Reynolds from the Division of Mental Health, Developmental Disabilities and Substance Abuse Services (MH/DD/SAS) and Shawn Parker, Kory Goldsmith and Jim Klinger, Legislative staff and Rennie Hobby, LOC staff.

Representative Martha Alexander called the meeting to order and asked participants to introduce themselves. She explained to members that the group is a subcommittee of the Legislative Oversight Committee on MH/DD/SAS. The charge to the subcommittee is to review and approve the Alcohol Drug Education Traffic School study findings and make recommendations to the LOC. Preliminary information and statistics gathered will be presented at the meeting on December 14 at which time the committee will make specific suggestions and recommendations. Representative Alexander said that staff would then draft a report for the committee's approval during the next meeting in January.

Dr. Lin, Project Manager for the LOC, gave members a brief overview of work done last year by the DWI committee. She explained that SB 934 was the genesis for the DWI Advisory Committee, which required the LOC to look at the adequacy of the fee and the qualifications of staff of the facilities performing DWI initial assessments. It was recommended that the assessment fee be increased, in conjunction with increased qualifications of assessors and that the Division of MH/DD/SAS take a more monitory oversight role looking at quality. Also recommended was the early intervention beyond the DWI assessment. In HB 1356 the charge to the committee is to look at the certification requirements for persons conducting alcohol and drug education traffic schools, the treatment offered, the average duration of a program, the average cost of treatment, the rates of recidivism and the adequacy of the fee paid to the agency.

Dr. Lin continued by explaining the scope of work and the methodology. She said that a combination of a questionnaire survey of all the facilities that provide ADET services and

onsite views of selected facilities would be used to gather information. A draft of the questionnaire will be sent to members for review in early November. The criteria for the on-site review will closely follow criteria used in the DWI study by including geography representation, private and public entity, facilities size, and freestanding vs. umbrella provider. The committee will deliberate the data in order to make final recommendations to the LOC in January.

Representative Alexander asked what percentage of the questionnaires was received from last year. Michael Eisen said that about 50% responded out of 400 but that the ADET group was much smaller, about 30-40, so the response should be much better. She suggested that a good response was important in making recommendations to the Legislature.

Michael Eisen, Director of the Office of DWI Services of the Division began his presentation with an overview of DWI services. (See Attachment No. 1) The information he reviewed was based on Certificates of Completion from fiscal year 2002-2003 of approximately 22,000 people who were convicted of a DWI or those less than 21 years of age who had received a substance abuse assessment and who had completed the educational component or a level of treatment. Of the 86,000 arrests, 46,150 were convicted. He said about half were thrown out before they got to the magistrate. Those convicted of a DWI must obtain a substance abuse assessment and comply with the recommendations in order to have their license reinstated. Mr. Eisen reviewed the assessment report summary from providers and reviewed the different service levels, sighting 70% were served by ADETS or at the short-term treatment level. He reviewed the fees received for services and said they were reasonable. The demographics showed that offenders were primarily young, white males with 46% between the ages of 21 and 34. He also gave the core elements of a DWI substance abuse assessment.

Continuing, Mr. Eisen gave a summary of the ADETS. He emphasized the importance of intervention geared at first time offenders attending ADETS. He reviewed the criteria for those who can attend an ADET. He suggested that the criteria might need further study, suggesting that the BAC level might be lowered from the current 0.14 and that the assessment does not indicate if there is a true substance abuse problem. Members said that self-evaluation, fees charged and the embarrassment of appearing in court or before a magistrate, were all factors to discourage repeat offenders.

Senator Allran asked if there were any outcome measures and he inquired about the recidivism rates. Mr. Eisen said that a study in 2001 showed that intervention did reduce the number of re-arrests. He said there has not been a study of recidivism rates since 2001 so it would be difficult to obtain current data. Members suggested different methods to possibly track the information and agreed the issue needed further study.

Reviewing the operations of the ADETS, Mr. Eisen said the curriculum had been revised to be a self-evaluating, personal approach placing more responsibility on the individual. Senator Dannelly asked if the size of the class was too large. Mr. Eisen said that he felt

that 35 in a classroom were too many. It was suggested that this issue be studied. There was also interest in looking at other states to see how their curriculums compare to ours.

In reviewing the qualifications of staff for ADETS the group agreed that consideration should be given to the minimum qualifications for ADETS instructors. Other points of interest mentioned for consideration by Mr. Eisen were the minimum duration of ADETS program and ADETS program fees.

Dr. Lin reviewed the timeframe stating that in November the draft survey questionnaire, along with selected on-site review sites would be sent to members for comments and review before conducting data gathering. On December 14 the committee will return to look at the initial finding from the survey and the onsite visits. The group will examine initial recommendations based on the scope of work, and given today's discussion, will also address the blood alcohol level, the hours of instruction and the recommended revisions of the curriculum, as well as curricula from other states. On January 5 we will come back to review the draft report and the final findings and recommendations and conclude our deliberations. The final report will be presented to the LOC on January 12.

The meeting adjourned at 11:25 A.M.

Senator Charlie Dannelly, Co-Chair

Representative Martha Alexander, Co-Chair

Rennie Hobby, Committee Assistant